

Amendment No. 1 to HB1440

Curcio
Signature of Sponsor

AMEND Senate Bill No. 1527*

House Bill No. 1440

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-417, is amended by deleting subdivision (c)(1) and substituting:

(1)

(A) Methamphetamine is a Class B felony if the amount involved is point five (0.5) grams or more of any substance containing methamphetamine and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); and

(B) Cocaine is a Class B felony if the amount involved is greater than three point five (3.5) grams of any substance containing cocaine and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); and

SECTION 2. Tennessee Code Annotated, Section 39-17-417, is amended by deleting subdivision (c)(2)(A) and substituting:

(A) Any other Schedule II controlled substance, including methamphetamine in an amount of less than point five (0.5) grams and cocaine in an amount of three point five (3.5) grams or less, is a Class C felony and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); provided, that if the offense involves less than point five (0.5) grams of a controlled substance containing methamphetamine or three point five (3.5) grams or less of a controlled substance containing cocaine but the defendant carried or employed a deadly weapon, as defined in § 39-11-106, during

commission of the offense or the offense resulted in death or bodily injury to another person, the offense is a Class B felony.

SECTION 3. Tennessee Code Annotated, Section 39-17-417(i)(10), is amended by deleting the language "Twenty-six (26) grams" and substituting "Fifteen (15) grams".

SECTION 4. Tennessee Code Annotated, Section 39-17-417(i)(12), is amended by deleting the language "Fifteen (15) grams" and substituting "Ten (10) grams".

SECTION 5. Tennessee Code Annotated, Section 39-17-417(j)(12), is amended by deleting the language "One hundred fifty (150) grams" and substituting "One hundred (100) grams".

SECTION 6. This act takes effect July 1, 2021, the public welfare requiring it.